

SURFACE INSPECTION  
COMPLIANCE REPORT

Date of Inspection: 06/14/91

Case Serial No.: N/A

Operator: Dale Rogers

Project Description: Unauthorized Mine Development

Legal Description: T. 25 S., R. 13 W., Sec. 35, SE 1/4

District and Resource Area: Richfield/Warm Springs

Inspector: Dave Henderson/Rody Cox

REPORT NARRATIVE (REFERENCE STIPULATIONS BY NUMBER OR TITLE)

On June 14, 1991 Dave Henderson, BLM Manager, Warm Springs Regional Area and Rody Cox, BLM Geologist met with Dale Rogers (of St. George) to discuss mining regulations and surface reclamation on his Multicolor claims. Multicolor Green (UMC 311606), Multicolor Green #2 (UMC 328709), and Multicolor Green #3 (UMC 328710), are located in the SE 1/4 of Section 35, T. 25 S., R. 13 W..

Prior to May 17, 1990 Dale Rogers and Arthur Leeper Jr., (of Delta) Vice President, Great Basin Construction entered a leasing arrangement for the removal of "building stone" by Great Basin Construction on the claims referenced above. Previous to this arrangement Mr. Rogers removed small quantities of this material using hand tools. Mining with heavy equipment and blasting on these claims to produce "building stone" was done by Great Basin Construction without filing a Notice of Intent or Plan of Operation. On May 19, 1990 Phil Allard, BLM Geologist visited the site to investigate unauthorized mine development. Mr. Allard concluded Great Basin may have been fraudulently induced into a lease by the claimant and that the mining claimant is ultimately responsible for the reclamation of disturbance on his claims caused by the lessee (Surface Management Handbook, H-3809-1, Chapter III, B. 7).

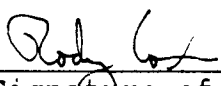
The surface disturbance consists of approximately six miles of road leading to the mine site, which was bladed with a bulldozer, and three side cuts in a hill at the mine site. Most of the road work followed a former two track jeep trail that passes through Sections 31, 32, 33, 34, and 35 of T. 25 S., R. 13. W.. A segment of this road work near the mine site was abandoned because the alignment proved to steep for hauling. Assuming a road width of 10 feet this disturbance equals about seven acres. On June 14, a decision was made by Dave Henderson not to require reclamation of the road beyond the mine site, because it was healing well and reclamation might disturb the process of revegetation already underway.

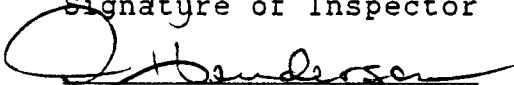
At the mine site a bulldozer was used to make three cuts into the hillside for vehicular access and to expose the rock formations. Some blasting was done in an attempt to quarry this material. The building stone is located in a sequence of sedimentary rocks primarily made up of slightly altered quartzites, shales, and siltstones. The Geologic Map of Utah (Hintze, 1980) correlates these units with the McCoy Creek and Sheeprock Group, which are undifferentiated precambrian sedimentary rocks. At this location the precambrian strata is thrust faulted over paleozoic rocks. The disturbance occurs at the contact of the Inkom Formation, a red and green argillite and the Mutual Quartzite, a maroon quartzite. Approximately 4.5 acres of land have been disturbed at the mine site. Other unauthorized activities include stripping of vegetation and stockpiling of trash. Dale Rogers stated this disturbance was created by Great Basin Construction, who blatantly disregarded his instructions for project development.

On August 9, 1990 a meeting was held between Arthur Leeper Jr., and Rex Rowley, BLM Manager, House Range Regional Area, with Phil Allard in attendance. At this meeting Mr. Leeper agreed Great Basin Construction would take responsibility for reclamation. Since this time Mr. Leeper has apparently left the USA and Great Basin Construction is out of business.

In a letter from BLM, Fillmore Office dated July 7, 1990 (certified mail No. P 070 773 281), Mr. Rogers was informed as the mining claimant he is ultimately responsible for the reclamation of disturbance on his claims caused by Great Basin Construction. He has now agreed to take responsibility for reclamation of his claims, however he hopes to receive cooperation from persons previously associated with Great Basin Construction. Dale Rogers referenced Carl Briscoe (of Milford) and Bob Thomas (of Delta), former upper management of Great Basin Construction. Letters are in draft to these parties asking for cooperation with reclamation efforts.

Mr. Rogers stated he intends to file a Notice of Intent with expectations to further develop his claims. He was reminded the area of disturbance was close to the five acre, the maximum allowed under a Notice of Intent. That reclamation would need to be performed over some of the area, or a Plan of Operation accepted before any further development could take place. He was reformed that the material is apparently common variety, and as such would be open to disposal through sale and not subject to location.

  
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Signature of Inspector

  
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Signature of Authorized Officer